
OLR Bill Analysis

sSB 420

AN ACT CONCERNING THE QUALIFICATIONS FOR CANDIDATES SEEKING ELECTION TO THE OFFICE OF THE ATTORNEY GENERAL.

SUMMARY:

This bill allows more attorneys to qualify to hold the position of attorney general by limiting the eligibility requirements for the office.

Under current law, in order to be eligible to be attorney general a person must be an attorney with at least 10 years of “active practice at the bar of this state.” Under case law, this requires the person to have some litigation experience and regularly engage in the practice of law as a primary means of earning a livelihood for at least 10 years.

The bill replaces these requirements and instead makes someone eligible to be attorney general if he or she has been a member of the bar as a Connecticut attorney for a continuous period of at least 10 years immediately before taking office. As under current law, the attorney general must also be an elector.

The bill also eliminates a requirement that the attorney general’s office be at the Capitol. The attorney general currently has an office on Elm Street in Hartford.

EFFECTIVE DATE: October 1, 2012

BACKGROUND

Related Case

In *Bysiewicz v. DiNardo*, the State Supreme Court ruled that the statutory requirement that the attorney general be “an attorney at law of at least ten years’ active practice at the bar of this state” means that the attorney general must have some litigation experience and have regularly engaged in the practice of law as a primary means of earning

his or her livelihood for at least 10 years. The court found that representing clients is an essential element of the active practice at the bar of this state. The court also ruled the statutory qualifications constitutional because they are impliedly exempt from the constitutional qualifications for state office (*Bysiewicz v. DiNardo*, 298 Conn. 748 (2010)).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 28 Nay 16 (04/02/2012)